

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HARRIET LOWELL, et al.,

Plaintiffs,

-against-

LYFT, INC.,

Defendant.

ORDER

17-CV-06251 (PMH)

PHILIP M. HALPERN, United States District Judge:

Counsel for all parties appeared in Courtroom 520 for an in-person pre-motion conference today.

The Court granted the requests to seal made in Doc. Nos. 274, 276, and 278. The redacted documents filed on the public docket will remain the publicly-filed versions of Plaintiffs' pre-motion letter, Plaintiffs' opposition to Defendant's pre-motion letter, and Rule 56.1 Statement, respectively. The unredacted versions of those documents will remain under seal.

The Court heard argument from the parties concerning their requests to move for summary judgment. In light of the discussion on the record, the parties shall file by September 2, 2022 a letter advising the Court whether they still intend to move for summary judgment. In the event any motions for summary judgment are made, the moving papers shall be served by October 3, 2022; opposition thereto shall be served by November 3, 2022; reply shall be served by November 15, 2022; and all motion papers shall be filed on the reply date, November 15, 2022.

The Court set the matter down for a non-jury trial to begin on **January 17, 2023 at 9:30 a.m.** The case must therefore be trial ready for that date. All parties and counsel shall appear on that date and time in Courtroom 520 of the courthouse located at 300 Quarropas Street, White Plains, New York 10601.

The Court directed the parties to meet and confer and file, in strict accordance with the Court's Individual Practices, the joint pretrial order required under Rule 6(A) by October 3, 2022. By November 3, 2022, the parties shall file Rule 6(B) and 6(C) proposed findings of fact and conclusions of law as a single document: Plaintiffs shall prepare the proposed document addressing their claims for relief at issue, serve same on Defendant, and Defendant shall state any opposition thereto by placing the opposing finding of fact or conclusion of law immediately below the fact or conclusion to which there is objection, supported by applicable citation; and Defendant shall set forth any proposed findings of fact and conclusions of law addressing their defenses at issue at the end of that document, serve same on Plaintiffs, and Plaintiffs shall state any opposition thereto by placing the opposing finding of fact or conclusion of law immediately below the fact or conclusion to which there is objection, supported by applicable citation. By November 15, 2022, the parties shall submit to the Court in accordance with Rule 6(D) the affidavits constituting the direct testimony of each trial witness except for expert witnesses, as well as the other materials contemplated by the rule. Direct testimony of experts will be live and not by affidavit.

By September 12, 2022, Defendant shall write a one-page letter to the Court advising whether they consent to the entry of an order referring the parties to settlement conferences with Magistrate Judge Krause.

See Transcript.

The Clerk of the Court is respectfully directed to terminate the letter-motions pending at Doc. Nos. 273, 274, 275, 276, and 278.

SO ORDERED:

Dated: White Plains, New York
August 29, 2022



Philip M. Halpern
United States District Judge